

September 6, 2007

VIA ECFS

Marlene H. Dortch, Esq.
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Inquiry Concerning the Deployment of Advanced Telecommunications Capability to All Americans in a Reasonable and Timely Fashion, and Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of the Telecommunications Act of 1996; GN Docket No. 07-45

NOTICE OF EX PARTE PRESENTATION

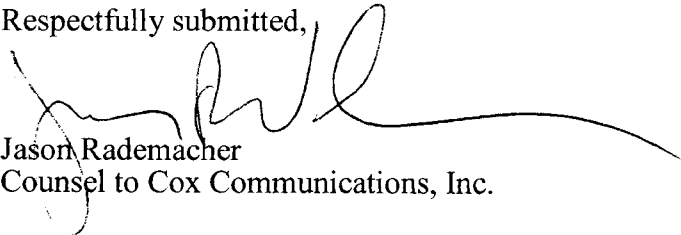
Dear Ms. Dortch:

On September 5, 2007, Alexandra M. Wilson, Vice President of Public Policy and Regulatory Affairs, and Lauren M. Van Wazer, Chief Policy and Technology Counsel, both of Cox Enterprises, Inc. ("Cox"), met with Michelle Carey, Senior Legal Advisor to Chairman Kevin Martin for Media Issues, and also met with Cristina Chou Pauzé, Legal Advisor to Commissioner McDowell for Media Issues, to discuss the above-referenced proceeding. Specifically, the parties discussed the issues addressed by Cox in the letter filed today in this docket. A copy of the letter was not provided to Ms. Carey or Ms. Pauzé, but a copy is attached to this letter for their convenience.

Pursuant to Section 1.1206(b)(2) of the Commission's rules, 47 C.F.R. § 1.1206(b)(2) a copy of this notice is being filed in this docket through ECFS. Copies also are being provided as a courtesy to the Commission participants in the meetings.

Kindly contact the undersigned if you have any questions regarding the foregoing.

Respectfully submitted,



Jason Rademacher
Counsel to Cox Communications, Inc.

cc: Michelle Carey, Esq.
Cristina Chou Pauzé, Esq.



Alexandra M. Wilson

Vice President of Public Policy and
Regulatory Affairs

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Re: Inquiry Concerning the Deployment of Advanced Telecommunications
Capability to All Americans in a Reasonable and Timely Fashion, and
Possible Steps to Accelerate Such Deployment Pursuant to Section 706 of
the Telecommunications Act of 1996
GN Docket No. 07-45 -- Written *Ex Parte* Presentation

Dear Ms. Dortch:

Cox Communications, Inc. ("Cox"), by its attorneys, hereby submits this written *ex parte* presentation in the above-referenced proceeding.

Cox is the country's third largest cable operator, and has been a leader for more than a decade in deploying broadband services in 35 markets across the United States. As the Commission undertakes its fifth inquiry under Section 706 of the Telecommunications Act of 1996 ("the 1996 Act") to assess whether advanced telecommunications capability is being deployed to all Americans on a reasonable and timely basis, Cox's experience provides a compelling example of the successes that have flowed from policy makers' commitment to bring consumers into the broadband age. Although more work needs to be done to ensure that Americans in truly remote areas and other disadvantaged communities have access to, and enjoy, the many benefits of broadband, the fact remains that Cox and its colleagues in the cable industry have played a critical role in the country's many broadband successes to date.

COX'S BROADBAND SERVICE HAS BEEN RECOGNIZED AS A NATIONAL INDUSTRY LEADER

Cox first launched high-speed Internet-access service in Orange County, California in December 1996. Since then, Cox has invested \$16 billion in private capital in a state-of-the-art broadband network that today reaches nearly 9.4 million households

across the country. Notably, whether rural or urban, lower-income neighborhood or gated community, desert or coast, 99.4% of the homes passed in Cox's service area have access to Cox's broadband service. In all, more than 3.5 million households in numerous states across the country subscribe.

Cox's decade of broadband experience demonstrates that the market for broadband is highly competitive – competition which spurs Cox to provide a compelling value proposition to its broadband customers. Every day, the company encounters well-established competitors throughout its service territory vying to be consumers' broadband provider of choice. From Southern California to Southern New England, Cox faces major wireline competitors such as AT&T, Qwest, and Verizon. Moreover, in markets as diverse as Las Vegas, Tulsa, Phoenix, Arkansas, and Greater New Orleans, Cox's broadband service competes against smaller wired rivals such as Embarq, Bixby, Accipeter, CenturyTel, East Ascension, and Delcambre. These companies serve rural and semi-rural areas throughout Cox's footprint. And, Cox vies with wireless companies such as Alltel, AT&T, T-Mobile and others as well, all looking to become customers' choice for a high-speed Internet portal.

To compete in this crowded marketplace, Cox made a commitment to providing the highest quality in broadband services to all the areas it serves. This dedication has been recognized repeatedly by industry experts and publications, as well as consumer groups and organizations. For example, in 2005, Cox was awarded the J.D. Power and Associates' Highest Honor in Customer Satisfaction Among High-Speed Internet Service Providers. In the same year, Cox received PC Magazine's Readers' Choice Award for Cox High Speed Internet service. The following year, 2006, Cox scored *above* the industry average in all measured areas except one (e-mail) in the J.D. Power Residential Internet Service Provider Satisfaction Study. More recently, in June 2007, Cox tied with Cablevision for top overall marks among cable providers and beat all the DSL providers on overall satisfaction, download, and upload speeds.

**COX'S HIGH SPEED INTERNET IS AVAILABLE TO VIRTUALLY ALL OF ITS CUSTOMERS,
INCLUDING THOSE RESIDING IN RURAL COMMUNITIES**

Convinced by its early experiences with high-speed Internet access that consumers of all demographics would see value in purchasing broadband, Cox has extended its reach to achieve near ubiquitous availability of broadband services throughout all the communities it serves, including many rural areas. In fact, Cox has deployed broadband to 98.2% of the households its network passes in the 285 rural communities it serves.¹ Moreover, Cox has deployed broadband to 96.9% of the households which fall below the median household income in those rural communities.

¹ For these purposes, Cox considers a rural community to be a community with a population of 20,000 or less which qualifies for the Rural Utility Subsidy (RUS) program.

Without any specific regulatory mandate, Cox has chosen to go head-to-head against approximately ten incumbent rural telephone phone companies in four states to sign up rural and semi-rural broadband customers. In short, far from leaving customers in less densely populated areas behind, Cox has aggressively deployed broadband to their neighborhoods.

In addition, Cox has made a concerted effort to provide broadband services to businesses, focusing principally on small and medium-size companies. To reach these customers, Cox has expanded its traditional cable footprint or constructed fiber-rich links into business centers. These efforts have paid off by making Cox Business, a unit within Cox, one of the fastest growing parts of the company. Recently, Cox Business debuted in the top tier of U.S. business Ethernet providers, according to Vertical System Group's latest marketing analysis. Across the Cox footprint, a variety of businesses -- from healthcare and school districts to government, real estate and financial organizations -- are embracing metro Ethernet to better utilize one pipe for multiple services. According to this analysis, Cox ranked fourth among providers with an 8.9 percent share of total ports.

With deep roots as a cable company, Cox has long been involved in a wide variety of community partnerships, many of which now extend beyond video to voice and data services. For nearly a decade, Cox and local organizations have come together to bring the promises of broadband to communities and families that might otherwise have been excluded from this revolution. Some examples of Cox initiatives include:

Boys and Girls Club of America

Cox is a national technology partner of the Boys and Girls Clubs of America. Each year, Cox provides free or discounted high-speed Internet service worth millions of dollars to numerous local clubs across the country. Additionally, more than 65% of clubs are receiving in-kind support from local Cox systems, such as locally-aired public service announcements, and computer hardware and software. Since 2005, Cox has donated nine Cox Tech Centers, made available through grants from Cox and the James M. Cox Foundation. Each Cox Tech Center is valued at more than \$25,000, and is equipped with ten computers, one printer, one wireless access point, and Microsoft software. Notably, many of the Boys and Girls clubs are located in economically depressed urban centers and respond to the needs of minority children. Across the country, 130 clubs and approximately 10,400 children benefit from Cox's technology partnership with the Boys and Girls Club of America.

Cox Schools and Libraries Program

Cox's Schools and Libraries Program provides advanced telecommunications services to 93 school districts in 13 states serving

over 1,100 individual schools and 94 libraries. As a result of this program, schools and libraries across the country are able to make broadband service more readily available to the many constituencies they serve.

Project LemonLINK

Lemon Grove School District in southern California and Cox Business Services worked together to create a private education network (VPN) called Project LemonLINK that connects schools, homes and city government facilities. The school provides centrally housed educational software and content that can be accessed from any computer hooked up to the network, at school or at home. This allows the district to deploy more computers in the classrooms, and reduce the student to computer ratio to 2:1. Cox Business Services also worked with the district to create an affordable computer package for students to use at home.

Thanks to Project LemonLINK, the district has been able to implement a technology-rich curriculum that has helped improve students' motivation to do well in school. In recent studies, all Lemon Grove schools rated at or above the state average in a statewide ranking. Three of the schools ranked among the top 15 most improved in San Diego County. Nearly 40% of at-risk middle school students posted gains of as much as 2 years' growth in reading and math in the first 6 months of the program. The elementary schools in Lemon Grove achieved the greatest 2-year improvement of any district in the state.

Cox Connects Foundation

The Cox Connects Foundation in Tulsa, Oklahoma awards innovation in education grants of \$5,000 each for classroom teachers who demonstrate innovative uses of technology. In 2006, Cox awarded \$60,000 to qualifying classroom teachers. In 2007, that award amount increased to \$75,000. The Foundation also provides scholarships to high school students and adult parents re-entering the classroom. In 2006, \$20,000 was awarded to eligible students. Again, in 2007, that scholarship amount rose to \$45,000. The Cox Connects Foundation is being launched in Oklahoma City, as well, in September of 2007.

Project Kids

Cox began the Project Kids program in Kansas in 1998. Project Kids provides free Internet access to more than 200 schools, representing a value of \$70,000 per month to local school systems. In addition to providing state-of-the-art broadband technology to the Kansas school systems within Cox's service area, this technology partnership with

educators has served as a springboard for Cox to provide additional broadband capacity and other services to schools and libraries statewide.

Cox Connects Kids

Through the “Cox Connects Kids” program, Cox in Omaha, Nebraska collects used computer equipment from area businesses and individuals and then works with the Omaha Public Schools District to refurbish them. More than 1,000 deserving children have received a free computer after participating in a two-hour “Learn and Earn” class.

WITH THE GOAL OF PROMOTING CONSUMER CHOICE AND SERVICE AFFORDABILITY, COX’S BROADBAND SERVICES ARE AVAILABLE AT A VARIETY OF COMPETITIVE PRICE POINTS AND SPEEDS TO MEET CUSTOMERS’ NEEDS

With more than a decade of broadband experience under its belt, Cox has learned that not all broadband customers want the same value proposition. As a result, Cox offers a range of broadband options designed to meet specific customer needs.

Some consumers, for example, continually demand options with higher and higher bandwidth. Cox has met this challenge by offering Premier services with downstream speeds between 15 and 20 Mbps, with additional speeds achievable thanks to PowerBoost (a new technology that gives Cox High Speed Internet customers a speed burst when they need it most – when downloading large files).²

What is equally telling is the increasing number of prices and speed choices that Cox has made available to customers whose need for broadband speed may not be as heavy. To serve more casual or price-conscious consumers, or people still relying on dial-up service to access and navigate the Web, Cox has introduced an Economy broadband Internet access service throughout much of its footprint. This service has downstream speeds of 768 kbps and is priced between \$9.95 and \$16.95 per month, depending on the package. Not only is this offering in line with similar products from large telephone companies, but Cox’s Economy broadband service is multiple times faster than similarly priced dial-up services from Earthlink and PeoplePC. By offering a variety of broadband “flavors,” Cox is able to serve not only bandwidth-hungry early adopters but also mass market consumers who, for a variety of reasons, more carefully weighed their migration to broadband.

² Cox’s Premier broadband service is priced around \$60 per month. PowerBoost does not require the customer to call, sign up or pay an additional fee; it is simply being made part of the Cox Premier and Preferred Internet access services across the country for free.

**THE COX BROADBAND VALUE PROPOSITION EXTENDS BEYOND SPEED TO SAFETY,
SECURITY AND ADDITIONAL FUNCTIONS AND FEATURES**

Importantly, Cox's leadership in broadband extends beyond speed enhancements. With respect to Internet security, Cox provides free access to a full suite of security software and offers ongoing customer education initiatives about how to use the Internet safely and responsibly. For example, Cox's customers are able to download free software designed to protect their personal computers and data, including anti-virus software, parental controls, anti-spyware, spam-blocker, firewall and pop-up blocker. Cox also offers professional installation for both wired and wireless home networking that helps customers create secure networks.

In addition to providing various safety and security tools, Cox provides an education program on how to safely use the Internet. *Take Charge! Smart Choices for Your Cox Digital Home* is a community outreach campaign developed by Cox to empower parents and caregivers to manage their children's access to mass media content. Launched in August 2004, the initiative strives to increase customers' awareness and use of the parental controls and filtering tools already available on their cable and Internet services. Cox has joined forces with children's advocate and TV host John Walsh, the National Center for Missing and Exploited Children and CommonSense Media to educate families nationwide about this vital issue. Providing tools and resources that are easy to understand and implement, Take Charge! helps parents find great educational TV shows and web sites while keeping their families safe from content they find objectionable. Program components include a comprehensive web site (www.cox.com/takecharge) with links to other tools, a free resource guide and local educational activities within the communities Cox serves.


Further, to increase the value proposition of Cox High Speed Internet, Cox broadband customers can access premium content web sites at a discount with Cox's Premium Access Pass, including the Best of the Web Zone and the Sports Zone; manage their account on line; see current TV schedules and more.

CONCLUSION

Today, broadband services are widely available throughout much of the country. Thanks to private sector initiative and capital, and welcome restraint on the part of

federal policy makers, the marketplace is working, the goals of Section 706 are being fulfilled, and consumers are reaping the benefits. Although attention should continue to be paid to those segments of the population for whom access or affordability present obstacles to joining the broadband revolution, Cox's experiences in the broadband marketplace bolster the ample evidence in the record demonstrating that advanced telecommunications capability is being deployed to all Americans on a reasonable and timely basis in furtherance of the goals of Section 706 of the Act.

Respectfully submitted,



Alexandra M. Wilson

cc: Chairman Kevin J. Martin
Commissioner Michael J. Copps
Commissioner Jonathan S. Adelstein
Commissioner Deborah Taylor Tate
Commissioner Robert M. McDowell
Ian Dillner, Legal Advisor-Wireline Issues, Chairman Martin
Scott M. Deutchman, Legal Advisor, Commissioner Copps
Scott Bergmann, Senior Legal Advisor- Wireline Issues, Commissioner Adelstein
Chris Moore, Legal Advisor, Commissioner Tate
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